

U.S. Department of Commerce
Patent and Trademark Office

Docket No Kum12Opt.Win
First Named Inventor Wilson Smart

**DECLARATION FOR
UTILITY OR DESIGN
PATENT APPLICATION**

COMPLETE IF KNOWN

Application Number

Filing Date

<input checked="" type="checkbox"/> Declaration Submitted with Initial Filing	OR	<input type="checkbox"/> Declaration Submitted after Initial Filing	Group Art Unit Examiner Name
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As a below named inventor, I hereby declare that:

My residence, post office address, and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled

**SILICON NITRIDE WINDOW FOR MICROSAMPLING
DEVICE AND METHOD OF CONSTRUCTION,**

the specification of which

☒ is attached hereto

OR

☐ was filed on (MM/DD/YYYY) [] as United States Application Number or PCT
International Application Number [] and was amended on (MM/DD/YYYY) []
(if applicable).

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment specifically referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in Title 37 Code of Federal Regulations Section 1.56(a).

I hereby claim foreign priority benefits under Title, 35 United States Code Sections 119(a)-(d) or Section 385(b) of any foreign application(s) for patent or inventor's certificate, or Section 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below, by checking the box, any foreign application for patent or inventor's certificate, or of any PCT international application having a filing date before that of the application on which priority is claimed:

None

I hereby claim the benefit under Title 35, United States Code Section 119(e) of any United States provisional application(s) listed below.

None

DECLARATION

Page 2

I hereby claim the benefit under Title 35, United States Code Section 120 of any United States application(s), or Section 365(c) of any PCT international application designating the United States of America, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT international application in the manner provided by the first paragraph of Title 35, United States Code Section 112, I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations Section 1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application:

None

As a named inventor, I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith:

Wilson Smart

Please direct all correspondence to:

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Palo Alto, CA. 94301

Telephone - (650) 326-1225

Fax - (510) 476-0953

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Name of Sole or First Inventor

Given Name Middle Initial Family Name Suffix e.g. Jr.
Wilson Smart

Inventor's Signature *Wilson Smart* Date 3-24-01

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Name of Second Inventor

Given Name Middle Initial Family Name Suffix e.g. Jr.
Kumar Subramanian

Inventor's Signature _____ Date _____

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Name of Third Inventor

Given Name Middle Initial Family Name Suffix e.g. Jr.
Asikeh Kanu

Inventor's Signature _____ Date _____

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Mailing Address Street City State Zip Country
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STATEMENT CLAIMING SMALL BUSINESS ENTITY STATUS
37 CFR 1.9(f) and 1.27(c) - SMALL BUSINESS CONCERN

Applicant, Patentee, or Identifier: Docket Kum12Opt.Win
Application or Patent No. :
Filed or Issued :
Title SILICON NITRIDE WINDOW FOR MICROSAMPLING
DEVICE AND METHOD OF CONSTRUCTION

I hereby state that I am
| | the owner of the small business concern identified below:
|X| an official of the small business concern empowered to act on behalf of the concern identified below:

NAME OF SMALL BUSINESS CONCERN

Kumetrix, Inc, a California corporation,

ADDRESS OF SMALL BUSINESS CONCERN

29524 Union City Blvd
Union City, CA 94587-1245;

I hereby state that the above identified concern qualifies as a small business concern as defined in 13 CFR Part 121 for purposes of paying reduced fees to the United States Patent and Trademark Office, in that the number of employees of the concern, including those of its affiliates, does not exceed 500 persons. For purposes of this statement,

(1) the number of employees of the business concern is the average over the previous fiscal year of the concern of the persons employed on a full-time, part-time, or temporary basis during each of the pay periods of the fiscal year, and

(2) concerns are affiliates of each other when either, directly or indirectly, one concern controls or has the power to control the other, or a third party or parties controls or has the power to control both.

I hereby state that rights under contract or law have been conveyed to and remain with the small business concern identified above with regard to the invention described in:

|X| the specification filed herewith with title as listed above.
| | the application identified above.
| | the patent identified above.

If the rights held by the above identified small business concern are not exclusive, each individual, concern, or organization having rights to the invention must file separate statements as to their status as small entities, and no rights to the invention are held by any person, other than the inventor, who would not qualify as an independent inventor under 37 CFR 1.9(c) if that person made the invention, or by any concern which would not qualify as a small business concern under 37 CFR 1.9(d), or a nonprofit organization under 37 CFR 1.9(e).

Each person, concern or organization having any rights in the invention is listed below:

|X| no such person, concern, or organization exists.
| | each such person, concern, or organization is listed below.

None.

Separate statements are required from each named person, concern or organization having rights to the invention stating their status as small entities (37 CFR 1.27).

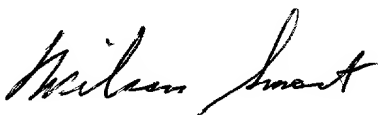
I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate (37 CFR 1.28(b)).

NAME OF PERSON SIGNING Wilson Smart

TITLE OF PERSON IF OTHER THAN OWNER Chairmen of Kumetrix, Inc.

ADDRESS OF PERSON SIGNING 245 Washington Avenue, Palo Alto, CA 94301

SIGNATURE



DATE

3-24-01